

Court of Appeals, State of Michigan

ORDER

People of MI v James Chad-Lewis Clay

Docket No. 342245

LC No. 17-007062-01-FJ

Douglas B. Shapiro
Presiding Judge

Elizabeth L. Gleicher

Brock A. Swartzle
Judges

The Court orders that the joint motions for remand, for bond, for waiver of production of the transcript of the July 18, 2019, hearing, and for immediate consideration are GRANTED. The matter is ADJOURNED from the August 13, 2019, case call and REMANDED to the trial court for an evidentiary hearing and decision whether defendant should be granted a new trial. Defendant-appellant shall be RELEASED on his personal recognizance bond pending resolution of this appeal or further order of this Court. MCR 7.209(D). The Court retains jurisdiction.

Defendant shall initiate the proceedings on remand within 14 days of the date of this order. Defendant shall file with this Court a copy of any motion and supporting brief filed in the trial court, and defendant shall file a copy of any order entered within 14 days after entry.

The trial court shall hear and decide the matter within 56 days of the date of this order and shall make an appropriate determination on the record. The trial court shall order a transcript of any hearing on remand to be prepared at public expense and filed within 21 days after completion of the proceedings. Defendant may file a supplemental brief addressing the issues raised on remand within 21 days after the date of entry of the trial court's order deciding the matter or the date the transcript is filed, whichever is later. Plaintiff may file a supplemental brief in response.



A true copy entered and certified by Jerome W. Zimmer Jr., Chief Clerk, on

July 22, 2019

Date

Chief Clerk